

NEWBURY 09/01417 Pins Ref 2127997	Land at the Market Place, Newbury Mr M Castle	Open air café (revised form of canopy)	Approval	Allowed 31.8.10
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The Inspector noted that conditional planning permission (Ref: 08/01036/FUL) already exists for the use of some 10 sq m of the Market Place as an open air cafe with tables and chairs arranged under four large umbrellas. Rather than umbrellas, the appeal scheme proposes the use of a 5 sq m canopy supported on posts some 3.5m high in the centre and 3m high at the edges.

It is clear from the existing planning permission that the Council is supportive of a cafe culture in the Market Place which forms part of the Newbury Town Centre Conservation Area. The main issue in this appeal is the effect of the proposed canopy on the character or appearance of that Conservation Area.

The Market Place is a fine space surrounded by buildings, including a number of imposing properties such as the Corn Exchange and the Town Hall. Care has clearly been taken to enhance the area with the use of granite set surfacing and carefully selected seats and street lighting.

It is however, more than just an open area. As befits a market place it is a busy area through which pedestrians, buses and taxis all pass and around its edges are a number of cafes outside which are tables and chairs set under awnings or umbrellas. Some of these are separated from the footway by temporary screens.

The proposed canopy would, by reason of its bulk, be a more prominent feature than are the umbrellas for which planning permission already exists. However, as long as the proposed canopy was of a suitable colour and finish and as long as a suitable and safe means of securing it to the surface of the Market Place could be devised – and these are both matters which could be dealt with by condition - he did not consider it would have a harmful effect on the appearance of the area.

Market places are traditionally spaces where semi permanent structures, such as is proposed, are put up and taken down as the need arises. As long as the proposed canopy would be taken down when not in use – and again this is something that could be required by way of a planning condition – it would not be out of keeping with the character of the area.

The appeal scheme would preserve the character and appearance of the Newbury Town Centre Conservation Area and in this respect would meet the aims of Saved Policies OVS.2 and ENV.33 of the West Berkshire District Local Plan.

The Inspector concluded, therefore, that the appeal should be allowed.

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